



SENATE BILL 9 (SB 9) CHECKLIST - LOT SPLIT

The following materials are required at minimum in order to submit an application for an SB 9 Lot Split. Additional materials may be required by the Community Development Director depending on the complexity of the project.

Required Project Information

SB 9 Application Form

Planning Fees

Title Report

Provide a Preliminary or Final Title Report Prepared by a Title Company Within the Last Three Months.

Tentative Parcel Map or Tentative Map Application Submittal Checklist

Applicant must follow the City's Application Submittal Checklist to subdivide land.

Lot Split Deed Restriction Agreement

Applicant will complete and sign a deed restriction agreement for both parcels.

Owner's Affidavit for Post Lot Split Occupation

Single-Family Residential Zoning

The project site must be classified as a single-family zoning district. Single-family zoning districts in the City of Richmond include RH, RL1, and RL2. To find the parcel's zoning district please visit: <http://www.ci.richmond.ca.us/3344/Mapping-Services> and click on Zoning Information.

Number of Parcels

The parcel map must subdivide an existing parcel to create no more than two new parcels

Size of Parcels

The proposed parcels shall be of approximately equal lot area, provided that one of the parcels shall not be smaller than 40 percent of the lot area of the original parcel proposed for subdivision. Both newly created parcels can be no smaller than 1,200 square feet.

If Units will be Demolished, Affidavit that states:

The proposed urban lot split would not require demolition or alteration of any of the following types of housing:

- A. *Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.*
 - B. *Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.*
 - C. *The proposed housing development is not a parcel on which an owner has exercised rights under the Ellis Act (California Government Code Chapter 12.75) within 15 years.*
 - D. *Housing that has been occupied by a tenant in the last three years.*
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Prior Use of SB 9 Lot Split

An affidavit that states that this parcel has not been established through prior exercise of an SB 9 lot split, and no adjacent parcel has been subdivided by the owner of this parcel or any person acting in concert with the owner of this parcel through an SB 9 lot split.

Access to Right-of-Way

Both of the resulting parcels will either have access to, provide access to, or adjoin the public right-of-way.

Consistent with Objective Standards

The project must meet all objective standards in the City Code and the Subdivision Map Act at the time the application is submitted. The lot split will conform to all applicable objective zoning, subdivision, and design review standards so long as they do not physically preclude two units on each lot of 800 sf each and allow a setback of four feet from the rear and side property lines (or less if in an existing structure or new structure built to the same dimensions).

Deed Restriction - Short Term Rentals

The rental of any unit created pursuant to this process shall be for a term longer than 30 days. The applicant will provide a signed deed restriction.

Parking

At least one-off street parking space provided per unit, except no off-street parking is required when:

- The parcel is located within one-half mile walking distance of either a high-quality transit corridor, defined as a bus route with 15-minute headways, within a block of car share vehicle, or an existing BART Station. The applicant will provide evidence that the site is in at least one of these locations, if they want to waive the parking requirement.*
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Historic Designation

Evidence that the site is not located in a historic district or property included on the State Historic Resources Inventory, or within a site that is designated or list as a city or county landmark or historic property or district per city or county ordinance.

Location

The applicant will provide evidence about the site meets the requirements below. Resources are publicly available in the City's General Plan EIR or through various state and regional websites.

- The project site must be in an urbanized area or urban cluster as defined by the U.S. Census Bureau; and*
- The project must be located on a property that is outside the following areas:*
 - Either prime farmland or farmland of statewide importance*
 - Wetlands, as defined by the U.S. Army Corps of Engineers (Corps) and the U.S. Environmental Protection Agency (EPA).*
 - A very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to the California Code Section 51178, or within a high or very high fire hazard severity zone as indicated on maps adopted by the Department of Forestry and Fire Protection pursuant to Section 4202 of the Public Resources Code. This does not apply to sites excluded from the specified hazard zones by the City, pursuant to subdivision (b) of the California Code Section 51179, or sites that have adopted fire hazard mitigation measures pursuant to existing building standards or state fire mitigation measures applicable to the development.*
 - A hazardous waste site that is listed pursuant to the California Code Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code, unless the Department of Toxic Substances Control has cleared the site for residential use or residential mixed-uses.*
 - A delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.*
 - A flood plain as determined by maps promulgated by the Federal Emergency Management Agency, unless the development has been issued a flood plain development permit pursuant to Part 59 (commencing with Section 59.1) and Part 60 (commencing with Section 60.1) of Subchapter B of Chapter I of Title 44 of the Code of Federal Regulations.*

- A floodway as determined by maps promulgated by the Federal Emergency Management Agency, unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations.
 - Lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16U.S.C. Sec. 1531 et seq.), or other adopted natural resource protection plan.
 - Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).
 - Lands under conservation easement
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